



May 2, 2005

**U.S. Attorney Robert Clark Corrente's
statement on the filing of charges against Joseph A. Bevilacqua**

In December of last year, Chief Judge Torres conducted a sentencing hearing in the Jim Taricani matter, which concerned the leak of a surveillance tape in violation of a Court order. At that hearing, Attorney Joseph Bevilacqua testified that he was the source that had provided the tape to Mr. Taricani.

Within a matter of days, Chief Judge Torres referred the matter to the U.S. Attorney's office for whatever investigation we might deem necessary, and to initiate criminal contempt proceedings if they were warranted. We immediately undertook an investigation and legal analysis, in an effort led by First Assistant U.S. Attorney Ken Madden and Assistant U.S. Attorney Peter Neronha, along with Special Agent Beverly Bartzner of the FBI. Today, we announce the results of that investigation.

This afternoon, we filed a two-count Information charging Joseph Bevilacqua with perjury and criminal contempt of court.

Count I of the Information charges Mr. Bevilacqua with perjury. It alleges that, on February 6, 2002, he falsely testified, under oath, that he had not made arrangements for television reporter Jim Taricani to get Plunder Dome tapes, that he had not disclosed Plunder Dome tapes to Mr. Taricani, and that he did not know who gave Mr. Taricani Plunder Dome tapes. The Information alleges that, contrary to his declaration under oath, Mr. Bevilacqua had, in fact, given Plunder Dome video tapes to Mr. Taricani, including the tape that Channel 10

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broadcast in February 2001 that was the focus of the court-ordered investigation by Special Prosecutor Marc DeSisto.

Count II charges Mr. Bevilacqua with criminal contempt of court by disobeying an order issued by U.S. District Judge Lagueux prohibiting dissemination of Plunder Dome video tapes to anyone not directly involved in the case.

In addition, we have filed with the Court a Plea Agreement, signed by the U.S. Attorney's office and by Mr. Bevilacqua and his counsel. According to the terms of the Plea Agreement, Mr. Bevilacqua will waive the presentation of the case to a federal grand jury, and will plead guilty to both charges – perjury and criminal contempt of court. We anticipate that the Court will schedule a hearing for the entry of Mr. Bevilacqua's plea. As of now, no date has been set for that hearing.

The maximum sentence for the perjury charge under federal law is five years. The contempt charge carries no specific statutory maximum. As in every case, the determination of an appropriate sentence will be up to the Court, after entry of the plea. We expect that we will file a memorandum addressing the sentencing issue when the time comes, but it is premature to make any specific comment today on that aspect of the case.

The kind of conduct alleged in this Information – perjury and contempt of court – erodes the foundations of our system of justice. Simply put, our courts have enough to do without having to embark on long and expensive proceedings that could have been avoided by obeying the Court's orders and telling the truth.

Finally, we want to emphasize that, although we have a signed plea agreement, until Mr. Bevilacqua formally pleads guilty in Court – or is proven guilty after trial – he continues to enjoy the legal presumption of innocence.